

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KATHRYN M. LAKEBERG

Plaintiff,

-vs-

UNITED PARCEL SERVICE, et al.

Defendants

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No. 07 C 7095

Judge Milton I Shadur

TEAMSTERS LOCAL 705 DEFENDANTS' MOTION TO AMEND JUDGMENT

Pursuant to Fed.R.Civ.P. 59(e) (“Rule 59(e)”), Teamsters Local 705 (“Local 705”), Kenny Emanuelson, Daryl Cessaradi, Jim Drahula, and Lisa Hendrickson (collectively, the “Local 705 defendants”) move to amend the judgment entered in this case on February 5, 2008. In support thereof, the Local 705 defendants state that:

1. On February 5, 2008, the court granted the Local 705 defendants’ motion to enter judgment on their behalf with a finding, pursuant to Rule 54(b), that there “is no just cause for delay.”

2. In their Rule 54(b) motion, the Local 705 defendants identified themselves, as they do in this motion, as including not only the individuals affiliated with Local 705 (Kenny Emanuelson, Daryl Cessaradi, Jim Drahula, and Lisa Hendrickson), but also Local 705 itself.

3. However, when the clerk entered the judgment pursuant to the court’s February 5, 2008 order, it said “that final judgment is entered dismissing the claims against the Local 705 defendants, Kenny Emanuelson, Daryl Cessaradi, Jim Drahula and Lisa Hendrickson.” As such, the judgment might not be read to include a judgment for Local 705 as well as the individuals.

4. The reasons set forth for entry of a judgment and a “no just cause” finding, which

were set forth in the Rule 54(b) motion, are just as compelling for Local 705 as for the individuals. Entry of a judgment and a “no just cause” finding will assure that the claims against the Local 705 defendants are appealed promptly, if at all, so that they do not become even more stale as the claim against United Parcel Service is litigated in this court.

WHEREFORE, pursuant to Rule 59(e), the Local 705 defendants request that the court enter an order amending the February 5, 2008 judgment so that the judgment includes Local 705 as well as the individual defendants affiliated with Local 705.

By /s/ Jeffrey B. Gilbert
One of the Attorneys for the Local 705
defendants

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